IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

Bail Appl..No. 992 of 2007()

CRIME NO.6/07 OF BADIADKA POLICE STATION

: PETITIONER/ACCUSED

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1. PADMANABHA, 35 YEARS,
   S/O.SANKAPPA POOJARY, UJURGULI SULLIA KASBA
   VILLAGE, SULLIA TALUK, SULLIA POST,
   D.K.DISTRICT, KARNATAKA STATE.

2. NARAYANA POOJARY, 50 YEARS,
   S/O.POOVAPPA POOJARY, UJURGULI SULLIA KASBA
   VILLAGE, SULLIA TALUK, SULLIA POST,
   D.K.DISTRICT, KARNATAKA STATE.

3. SAROJINI, 40 YEARS,
   W/O.POOVAPPA POOJARY, UJURGULI SULLIA KASBA
   VILLAGE, SULLIA TALUK, SULLIA POST,
   D.K.DISTRICT, KARNATAKA STATE.

BY ADV. SRI.T.B.SHAJIMON

RESPONDENT: COMPLAINANT

STATE OF KERALA, REP. BY INSPECTOR
OF POLICE, BADIADKA POLICE STATION,
REP. BY THE PUBLIC PROSECUTOR, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 992 OF 2007

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DATED THIS THE 20th DAY OF FEBRUARY, 2007

O R D E R

Petitioners seek anticipatory bail on the allegation that the Badiadka Police are at their heels in connection with Crime No.6/07 registered for offences punishable under sections 498A and 323 IPC at the instance of the first petitioner's wife Rathnavathi.

2. Learned Public Prosecutor on instructions submitted that the first accused who is the husband of the de facto complainant alone is an accused in the case and that petitioners 2 and 3 have since been deleted from the array of accused. If so, the apprehension of arrest and harassment entertained by petitioners 2 and 3 is unfounded. In the case of the first petitioner, I am inclined to grant anticipatory bail to him. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the 1st petitioner on bail for a period of one month in the event of their his in connection with the above case on his executing a bond for Rs.10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. 1st Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. 1st Petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. 1st Petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. 1st Petitioner shall not commit any offence while on bail.

5. 1st Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the 1st petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,JUDGE.

dsn